

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 84-60

AMENDING NPDES PERMITS FOR THE DISCHARGERS

CITIED HEREIN AND RESCINDING ORDER NO. 80-44

The California Regional Water Quality Control Board, San Francisco Bay Region, (hereinafter Board) finds that:

1. The entities listed below (hereinafter the dischargers) previously have been issued National Pollution Discharge Elimination System (NPDES) Permits in the following Board Orders:

	<u>NPDES Permit No.</u>	<u>Order No.</u>	<u>Date Issued</u>
Benicia, City of	CA0038091	82-26	4/21/82
Burlingame, City of	CA0037788	79-20	2/20/79
Central Contra Costa County Sanitary Dist.	CA0037648	79-77	6/19/79
Central Marin Sanitation Agency	CA0038628	80-56	11/4/80
Contra Costa County Sanitation District No. 7A	CA0037940	83-15	6/23/83
Dublin-San Ramon Services Dist.	CA0037613	84-31	6/20/84
East Bay Dischargers Authority	CA0037869	79-68	6/19/79
East Bay Municipal Utility District, Special District No. 1	CA0037702	79-100	8/21/79
Fairfield-Suisun Sewer District	CA0038024	79-48	5/15/79
Hayward, City of	CA0037656	79-68	6/19/79
Livermore, City of	CA0038008	84-32	6/20/84
Millbrae, City of	CA0037532	84-12	3/21/84
Napa Sanitation Dist.	CA0037575	83-21	6/23/83
North San Mateo County Sanitation Dis.	CA0037737	84-34	6/20/84
Novato Sanitary Dist.	CA0037958	80-14	4/15/80
Oro Loma Sanitary Dist.	CA0037599	79-68	6/19/79
Palo Alto, City of	CA0037834	79-164	12/18/79
Petaluma, City of	CA0037810	79-169	12/18/79
Richmond, City of	CA0037729	79-101	8/21/79

San Francisco, City and County of			
North Point Plant	CA0037672	84-47	7/18/84
Southeast Plant	CA0037664	79-128	10/16/79
Richmond Sunset Plant	CA0037681	84-45	7/18/84
San Francisco Int'l Airport Industrial			
Waste Treatment Plant	CA0028070	81-18	4/15/81
San Jose and Santa Clara, Cities of			
	CA0037842	82-35	6/16/82
San Leandro, City of	CA0037745	79-68	9/18/79
San Mateo, City of	CA0037541	79-121	9/18/79
Sewage Agency of Southern Marin			
	CA0037711	79-142	10/16/79
South Bayside System Authority			
	CA0038369	81-40	7/15/81
South San Francisco and San Bruno, Cities of			
	CA0038130	82-16	4/21/82
Sunnyvale, City of	CA0037621	82-39	6/16/82
Union Sanitary Dist.	CA0037597	79-68	6/19/79
Vallejo Sanitation and Flood Control Dist.			
	CA0037699	83-24	7/20/83
West Contra Costa Sanitary Dist.			
	CA0037974	79-65	6/19/79
West County Agency of Contra Costa County			
	CA0038539	82-65	12/15/82

2. The U.S. Environmental Protection Agency has promulgated regulations requiring publicly-owned treatment works with a design flow greater than five million gallons per day to develop and implement local Pretreatment Programs according to a compliance time schedule. Those regulations also apply to publicly-owned treatment works with smaller design flow which receive industrial waste of a volume or nature that should be regulated to prevent interference with treatment processes, or to prevent the discharge of pollutants which would pass through the treatment system unmodified.

3. EPA is the Control Authority under federal regulations responsible for overseeing local pretreatment programs. EPA and public interest groups have been urging the State to assume this function. However, EPA will remain the primary enforcement agency until adequate resources are provided to the Regional Board for full implementation of the pretreatment program.

4. The Board adopted Order No. 80-44 on September 16, 1980 and Order No. 80-56 on November 4, 1980 to establish time schedules for developing pretreatment programs. Programs have since been developed by the above dischargers, reviewed and approved by EPA, and are in varying phases of implementation.
5. EPA has requested that provisions be incorporated into the above dischargers' NPDES permits requiring full implementation and enforcement of approved Local Pretreatment Programs and submittal of annual reports in accordance with federal pretreatment regulations and guidance documents.
6. The State Water Resources Control Board has provided language requiring implementation and enforcement of approved Pretreatment Programs and requiring a Pretreatment Annual Report (Appendices A and B) to the Regional Board for inclusion in appropriate NPDES permits. These have been modified to clarify the intent and to respond to questions raised by interested persons.
7. These regulations do not require reimbursement of costs to local government because of Section 2209 of the Revenue and Taxation Code.
8. The Board has notified the dischargers and interested agencies and persons of its intent to amend the dischargers' NPDES Permits to prescribe additional waste discharge requirements and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
9. This project is exempt from the provisions of Chapter 3 (commencing with Section 21100) of Division 13 of the Public Resources Code (CEQA) pursuant to Section 13389 of the California Water Code.
10. The Board, in a public meeting, heard and considered all comments pertaining to the discharges.

IT IS HEREBY ORDERED, pursuant to the provisions of Division 7 of the California Water Code and regulations adopted thereunder, and to the provisions of the Clean Water Act and regulations and guidelines adopted thereunder, that the dischargers listed in Finding 1 shall comply with the following:

1. The dischargers which are also the permittees shall comply with the requirements titled "Pretreatment of Industrial Wastewater" in Appendix A and "Requirements For Pretreatment Annual Report" in Appendix B, and shall be subject to enforcement actions, penalties, fines and other remedies as provided for therein and by California law. The sampling and reporting requirements in Appendix B may be modified upon request of the discharger and written approval of the Executive Officer.
2. Provisions D.2., D.3., D.4., D.5., and D.6., of Order No. 80-56 are rescinded.
3. Order No. 80-44 is rescinded.
4. This Order shall serve to amend the National Pollutant Discharge Elimination System Permits listed above pursuant to Section 402 of the Clean Water Act and shall become effective 10 days after date of its adoption provided the Regional Administrator, Environmental Protection Agency, has no objection. If the Regional Administrator objects to its issuance, the permit shall not become effective until such objection is withdrawn.
5. This Order expires on September 19, 1989.

I, Roger B. James, Executive Officer, do hereby certify the foregoing is a full true, and correct copy of an order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on September 19, 1984.

ROGER B. JAMES
Executive Officer

Appendices:

- A. Pretreatment of Industrial Wastewater
- B. Requirements for Pretreatment Annual Report

APPENDIX A

Pretreatment of Industrial Wastewaters

- a. The permittee shall be responsible for the performance of all pretreatment requirements contained in 40 CFR Part 403 and shall be subject to enforcement actions, penalties, fines and appropriate parties as provided in the Clean Water Act, as amended (33 USC 1351 et seq.) (hereinafter "Act"). The permittee shall implement and enforce its Approved POTW Pretreatment Program. The permittee's Approved POTW Pretreatment Program is hereby made an enforceable condition of this permit. EPA and the State may initiate enforcement action against an industrial user for noncompliance with applicable standards and requirements as provided in the Act.
- b. The permittee shall enforce the requirements promulgated under sections 307(b), 307(c), 307(d) and 402(b) of the Act. The permittee shall cause industrial users subject to Federal Categorical Standards to achieve compliance no later than the date specified in those requirements or, in the case of a new industrial user, upon commencement of the discharge.
- c. The permittee shall perform the pretreatment functions as required in 40 CFR Part 403 including, but not limited to:
 - (1) Implement the necessary legal authorities as provided in 40 CFR 403.8(f)(1);
 - (2) Enforce the pretreatment requirements under 40 CFR 403.5 and 403.6;
 - (3) Implement the programmatic functions as provided in 40 CFR 403.8(f)(2); and
 - (4) Provide the requisite funding and personnel to implement the pretreatment program as provided in 40 CFR 403.8(f)(3).
- d. The permittee shall submit annually a report to EPA Region 9 and the State describing the permittee's pretreatment activities over the previous twelve months. In the event that the permittee is not in compliance with any conditions or requirements of this permit, then the permittee shall also include the reasons for non-compliance and state how and when the permittee shall comply with such conditions and requirements. This annual report is due on January 30th of each year and shall contain, but not be limited to, the information specified in the attached appendix B entitled "Requirements for Pretreatment Annual Report".

- e. The permittee shall submit a quarterly report to EPA Region 9 and the State describing the compliance status of each industrial user as described in Appendix B(4).

APPENDIX B

REQUIREMENTS FOR PRETREATMENT ANNUAL REPORT

- (1) A summary of analytical results from representative, flow-proportioned, 24-hour composite sampling of the POTW's influent and effluent for those pollutants EPA has identified under section 307(a) of the Act which are known or suspected to be discharged by industrial users. The permittee is not required to sample and analyze for asbestos until EPA promulgates an applicable analytical technique under 40 CFR Part 136. Sludge shall be sampled during the same 24-hour period and analyzed for the same pollutants as the influent and effluent sampling and analysis except as note in (C) below. The sludge analyzed shall be a composite sample of the sludge for final disposal consisting of:

- A. Sludge lagoons - 20 grab samples collected at representative equi-distant intervals (grid pattern) and composited as a single sample, or
- B. Dried stockpile - 20 grab samples collected at various representative locations and depths and composited as a single sample,
- C. Dewatered sludge - daily composite of 4 representative grab samples each day for 5 days taken at equal intervals during the daily operating shift taken from 1) the dewatering units or 2) from each truckload, and shall be combined into a single 5-day composite.

Wastewater and sludge sampling and analysis shall be performed a minimum of twice annually at 6-month intervals (once during wet weather and once during dry weather) and shall commence with the 1985 wet weather sampling period.

The permittee shall also provide any influent, effluent or sludge monitoring data for nonpriority pollutants which the permittee believes may be causing or contributing to Interference, Pass Through or adversely impacting sludge quality. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto. The results of samplings and analyses shall be reported to the Regional Board in the self-monitoring reports within a month of completion of analyses as well as in the annual report.

- (2) A discussion of Upset, Interference, or Pass Through incidents, if any, at the POTW treatment plant which the permittee knows or suspects were caused by industrial users of the POTW system. The discussion shall include the reasons why the incidents occurred, the corrective actions taken and, if known, the name and address of the industrial user(s) responsible. The discussion shall also include a review of the applicable pollutant limitations to determine whether any additional limitation, or changes to existing requirements, may be necessary to prevent Pass Through, Interference or noncompliance with sludge disposal requirements.
- (3) The cumulative number of industrial users that the permittee has notified regarding Baseline Monitoring Reports and the cumulative number of industrial user responses.
- (4) An updated list of the permittee's industrial users including their names and addresses, or a list of deletions and additions keyed to a previously submitted list. The permittee shall provide a brief explanation for each deletion. The list shall indentify the industrial users subject to Federal Categorical Standards by specifying which set(sets) of standards are applicable. The list shall indicate which categorical industries, or specific pollutants from each industry, are subject to local limitations that are more stringent than the Federal Categorical Standards. The permittee shall also list the noncategorical industrial users that are subject only to local discharge limitations. The permittee shall characterize the compliance status of each industrial user by employing the following descriptions:
 - (A) In compliance with Baseline Monitoring Report requirements (where applicable);
 - (B) Consistently achieving compliance;
 - (C) Inconsistently achieving compliance;
 - (D) Significantly violated applicable pretreatment requirements as defined by 40 CFR 403.8(f)(2)(vii);
 - (E) On a compliance schedule to achieve compliance (include the date final compliance is required);
 - (F) Not achieving compliance and not on a compliance schedule;
 - (G) The permittee does not know the industrial user's compliance status.

A report describing the compliance status with Federal Categorical Standards of any industrial user characterized by the descriptions in items 4(C) through (G) above shall be submitted quarterly from the annual report date to EPA Region 9 and the State. The report shall identify the specific compliance status with Federal Categorical Standards of each such industrial user. This quarterly reporting requirement shall commence upon issuance of this permit.

- (5) A summary of the inspection and sampling activities conducted by the permittee during the past year to gather information and data regarding industrial users. The summary shall include:
 - (A) The names and addresses of the industrial users subject to surveillance by the permittee and an explanation of whether they were inspected, sampled, or both and the frequency of these activities at each user; and
 - (B) The conclusions or results from the inspection or sampling of each industrial user.
- (6) A summary of the compliance and enforcement activities during the past year. The summary shall include the names and addresses of the industrial users affected by the following actions:
 - (A) Warning letters or notices of violations regarding the industrial users' apparent noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user identify whether the apparent violation concerned the Federal Categorical Standards or local discharge limitations;
 - (B) Administrative Orders regarding the industrial users' noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user identify whether the violation concerned the Federal Categorical Standards or local discharge limitations;
 - (C) Civil actions regarding the industrial users' noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user identify whether the violation concerned the Federal Categorical Standards or local discharge limitations;

- (D) Criminal actions regarding the industrial users' noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user identify whether the violation concerned the Federal Categorical Standards or local discharge limitations;
 - (E) Assessment of monetary penalties. For each industrial user identify the amount of the penalties;
 - (F) Restriction of flow to the POTW; or
 - (G) Disconnection from discharge to the POTW.
- (7) A description of any significant changes in operating the pretreatment program which differ from the information in the permittee's Approved POTW Pretreatment Program including, but not limited to changes concerning: the program's administrative structure; local industrial discharge limitations; monitoring program or monitoring frequencies; legal authority or enforcement policy; funding mechanisms; resource requirements; or staffing levels.
 - (8) A summary of the annual pretreatment budget, including the cost of pretreatment program functions and equipment purchases.
 - (9) A summary of public participation activities to involve and inform the public.
 - (10) A description of any changes in sludge disposal methods and a discussion of any concerns not described elsewhere in the report.

Duplicate signed copies of these reports shall be submitted to the Regional Administrator and the State at the following addresses:

Water Management Division
U.S. Environmental Protection Agency
Region 9 Attn: W-3
215 Fremont Street
San Francisco, CA 94105

Executive Officer
Regional Water Quality Control Board
Room 6040
1111 Jackson Street
Oakland, CA 94607